Serial No. 0 986,815
Attorney Docket No. 250-004

REMARKS

Claims 21-34 are pend ng in the application. Applicant has amended claims 21 a 1 25-32, cancelled claim 34, and ac led new claims 35 and 36. Neither the amended claims n the new claims contain new matte

1. The Rejectior under 35 U.S.C. § 112, first paragraph

Claims 21-34 stand re ected under the first paragraph of 35 U.S.C. § 112 as alleg dly containing subject matter not lescribed in the specification so as to enable one skilled in he art to make and/or use the inven on.

Independent claims 2 and 32, as amended, define element (B) as "*an amine sol ifying system present in insufficient quantities to cause gelation after the amino hydrogen ato are consumed by epoxy groups, nder the reaction conditions chosen for (A) and (B)*" and f ther state that "*the reaction prod t of (A) and (B) has melting point stability of at least six nths at normal workshop temperatu s*". Support for these limitations is found in the specifica on at page 8, second paragraph an in original claim 1.

The Examiner relies pon "page 4, fifth paragraph, lines 2-3" to assert that inde ndent claims 21 and 32 would be e abled only if element (B) contained the additional require ent that the reaction of elements (A) nd (B) "yields a product with a Kofler Heat Bank melting oint of less than 55°C." However, i selecting this particular passage, the Examiner may have overlooked the introductory lause at page 4, fourth paragraph, lines 5-6, which makes clear that the ingredients that foll w are exemplary only ("For example the method of this in ention could be performed using th following classes of ingredients: ..."). As demonstrated b the passages on page 3 (third ar fourth paragraphs) and on page 8 (second paragraph), th Kofler Heat Bank limitation descr es only one embodiment of the invention pertaining to ele ent (B).

Applicant has adopt d the Examiner's suggestion to amend the claims to state t at element (C), the latent hard ner, "*remains substantially unreacted under the condition of*

reaction for (A) and (B)". Applicant has ad :d the same limitation to element (E) (support for which appears in original claim 16).

The Examiner's final point regardin the complete reaction of (A) and (B) at room temperature has been obviated by eliminati ; that limitation from independent claims 21 and 32. The limitation was not present in original c ims 1 and 16, and the specification states that the "reaction between (A) and (B) may be carr d out at any suitable temperature and condition provided that neither it, nor the exothermic eat generated from it causes (C) or (E) to substantially react while it is taking place" page 5, lines 3-5).

Applicant respectfully submits that ie present claims are enabled by the specification and requests that the rejection be withdra

2. The Rejection under 35 U .C. § 112, second paragraph

Claims 21-34 stand rejected under e second paragraph of 35 U.S.C. § 112 as being indefinite for failing to particularly point o t and distinctly claim the subject matter Applicant regards as the invention.

The Examiner rejects the phrase "*t reaction between (A) and (B) does not cause (C) or (E) to substantially react*" in independent aims 21 and 32. Applicant has obviated this ground for rejection by amending the claims to eli inate this phrase.

The Examiner rejects Claim 26 for llegedly failing to denote the epoxy groups. Applicant has obviated this ground for rej tion by amending claim 26 along the lines suggested by the Examiner.

The Examiner rejects the word "*m nly*" in claim 28. Applicants have obviated this ground for rejection by amending claim 2 to recite the customary term "comprising".

The Examiner rejects claim 30 for implementing improper Markush language. Applicant has obviated this ground for rejection by amending claim 30 to recite conventional Markush language.

Applicant respectfully submits that the amended claims satisfy 35 U.S.C. 112, second paragraph, and accordingly, requests that the rejection be withdrawn.

3. The Rejection under the Judicially Created Doctrine of Double Patenting

Claims 21-34 stand rejected under the judicially created doctrine of double patenting over claims 1-14 of White (U.S. Patent No. 6,346,573). Applicant has obviated this rejection by filing a terminal disclaimer.

Applicant also submits herewith a Supplemental Information Disclosure Statement. Applicant respectfully requests that the Examiner consider the references cited therein.

Finally, Applicant notes that the Examiner did not check any of the boxes under "**Priority under 35 U.S.C. §§ 119 and 120**" on the March 31, 2003 Office Action Summary Page. Applicant wishes to point out that this application is a continuation of 09/077,049 filed May 18, 1998 (as the amended specification now states pursuant to Applicant's November 13, 2001 Preliminary Amendment), which is a § 371 national stage of PCT/GB96/02822, which claims priority to United Kingdom application 9523649.3 filed November 18, 1995. If appropriate to do so, Applicant requests that the Examiner check the pertinent boxes in the next Official Communication.

Applicant believes that the present application is now in condition for allowance. Favorable consideration of the application as amended is respectfully requested.

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The Commissioner is authorized to charge any fee due, or cred[illegible]any overcharge as a result of this Amendment and Response to Deposit Account No. 16-2[illegible].

Respectfully subm[illegible]ted,

Proskauer Rose L[illegible]

Date: September 30, 2003

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